

ATTACHMENT 1

COMPLAINT FORM

(for filers who are prisoners without lawyers)

IN THE UNITED STATES DISTRICT COURT
FOR THE Eastern DISTRICT OF WISCONSIN

(Full name of plaintiff(s))

Edward Spangler

vs

Case Number:

(Full name of defendant(s))

Michael Bernstein

(to be supplied by clerk of court)

Billy Salinas

A. PARTIES

1. Plaintiff is a citizen of WISCONSIN, and is located at
(State)

1 west Lincoln St. Wausau WI 53963
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper).

2. Defendant's Michael Bernstein, Kelly Salinas
(Name)

is (if a person or private corporation) a citizen of Wisconsin
(State, if known)

and (if a person) resides at _____
(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for Dodge Correctional Institution, 1 West Lincoln Highway
Warren, WI 53983 (Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

Edward Spangler was received into Dodge Correctional inst. on Aug. 21st, 2020. As soon as I got off intake (unit 19) I started putting in interview request slips to the law library stating that I had a petition for writ of certiorari in progress at the present moment. I had received several responses from your on quarantine, law library is closed and show a deadline. After I received the first response of being on quarantine, when I was moved off quarantine I was called down to the law library because I came here with a legal cd and needed to be sure of the contents in my presence. Upon.

(review) that's when I informed Michael Bernstein that I have a writ of certiorari in progress and I believe I am at the brief stage but need to get into the law library to make sure I'm following procedures. He said drop a slip and we'll get you in here. I sent several requests that is when I started getting the other responses like law library is closed and send a deadline which I have no paperwork stating this and no way of knowing I have one. I spoke to a white shirt he said contact Kelly Salinas, which I did I said I have a writ of certiorari in progress and I just received some paperwork from the Attorney General's office saying things about my writ ~~that~~ I need to look up. She said I can't give out legal advice. I wrote back stating I'm not asking for legal advice but I am pro se and I need to look up statutes and case law. No response. I wrote the law library again they said I'm on quarantine never once tested positive. I finally filed a grievance about this issue. The complaint examiner J. Bore sent my grievance to the law library with all of my documents. The law library sends me my grievance back and my documentation was missing. Four days later I was scheduled for in for the law library and on that day I received a decision and order from the court that my writ was dismissed because I failed to meet a deadline. Michael Bernstein and Kelly Salinas are in control of the law library and are responsible for denying my access to the courts.

which is a direct violation of my constitutional rights. Spangler
seeks damages for denying his access to the courts to
potentially restore his civil liberty.

C. JURISDICTION

☒ I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

☐ I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or stop doing something.

Spangler seeks damages and I would like the court to impose that every inmate request that is submitted is copied and returned to that individual.

E. JURY DEMAND

☒ Jury Demand - I want a jury to hear my case

OR

☐ Court Trial - I want a judge to hear my case

Dated this 2nd day of November 2020.

Respectfully Submitted,


Signature of Plaintiff

#427842
Plaintiff's Prisoner ID Number

PO Box 700
Waupun, WI 53983
(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper).

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FILING FEE

☒ I **DO** request that I be allowed to file this complaint without paying the filing fee. I have completed a request to proceed in the district court without prepaying the fee and attached it to the complaint.

☐ I **DO NOT** request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.